

JANUARY 16, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

08 C 369

**JUDGE CASTILLO
MAGISTRATE JUDGE BROWN**

Exhibit A

Int. Cl.: 11

Prior U.S. Cl.: 34

United States Patent and Trademark Office

Reg. No. 1,109,952
Registered Dec. 26, 1978

TRADEMARK
Principal Register

MIDDLEBY-MARSHALL

Middleby-Marshall Oven Company (Texas corporation)
8300 Austin Ave.
Morton Grove, Ill. 60053

For: OVENS FOR BAKING FOOD, in CLASS 11
(U.S. CL. 34).
First use 1890; in commerce 1890.
Owner of Reg. Nos. 237,729 and 731,845.

Ser. No. 156,932, filed Jan. 30, 1978.

S. MOSKOWITZ, Examiner

Exhibit B

Registered Nov. 4, 1941

Trade-Mark 391,399

Republished, under the Act of 1946, Oct. 19, 1948, by
The G. S. Blodgett Co., Inc., Burlington, Vt.

Affidavit under Section 8 accepted.

Affidavit under Section 15 received, Dec. 4, 1953.

UNITED STATES PATENT OFFICE

The G. S. Blodgett Co. Inc., Burlington, Vt.

Act of February 20, 1905

Application June 23, 1941, Serial No. 444,749

BLODGETT

STATEMENT

To the Commissioner of Patents:

The G. S. Blodgett Co. Inc., a corporation duly organized under the laws of the State of Vermont and located at Burlington, in the county of Chittenden, State of Vermont, and doing business at 53-59 Maple Street, Burlington, Vermont, has adopted and used the trade-mark shown in the accompanying drawing, for BAKING AND ROASTING OVENS, in Class 34, Heating, lighting, and ventilating apparatus, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905.

The trade-mark has been continuously used and applied to said goods in applicant's business and in the business of its predecessors from whom it derived title since 1850.

The trade-mark is applied or affixed to the goods, or to the packages containing the same,

by placing thereon a name-plate or label on which the trade-mark is shown.

The mark has been in actual use as a trademark by the applicant, and applicant's predecessors from whom title was derived, for ten years next preceding February 20, 1905, and such use has been exclusive.

Applicant is the owner of registration No. 149,641 of December 20, 1921.

The undersigned hereby appoints Malcolm F. Gannett, whose postal address is 2556 University Place N. W., Washington, D. C. (registration No. 10,711), its attorney, to prosecute this application for registration, with full power of substitution and revocation, and to make alterations and amendments therein, to receive the certificate, and to transact all business in the Patent Office connected therewith.

THE G. S. BLODGETT CO. INC.
By ROBERT F. PATRICK,
Assistant Treasurer.

Exhibit C



Pizza Equipment Supply Inc.

Billing Address:
1437 E. Franklin Blvd., Suite 232
Gastonia, NC 28054

Contact our Office at: (704) 629-0000 x 15
After Hours (704) 678-8668
Fax: (707) 371-7112
E-mail: <mailto:r.sroufe@pesi.us>
www.pesi.us

Headquarters
201 N. Sweetree Street
Cherryville, NC 28021

Attn: Equipment & Parts Purchaser,

P.E.S.I. is a company that specializes in rebuilding conveyor ovens. We offer dozens of makes and models; including those that your company uses. In addition to our impressive refurbishing process, we offer a huge selection of supplementary machines, products and most replacement parts. Along with our unbelievable products and pricing, we also ship all over the world.

What is refurbishing? Basically, we replace everything that makes an oven operate. This means we replace speed/temperature controllers, motors, etc. We back our refurbished ovens with a 30 day service and 1 year parts warranty. We take pride in our refurbishing process and have faith in your satisfaction.

There are several ways we can help your business's bottom line. With the dynamic buying power of our company, we can offer OEM & Aftermarket parts at bottom line, and well-below-list pricing. Another interesting way our company strives to serve our customers is with our swap-out program. Put simply, we will replace your "old" ovens with our "new" refurbished ovens and take those "old" ovens off your hands for only \$3,500.00 each. What a deal, right? As if that is not enough, you can also write off the purchase of an oven from us just as you would the purchase of a brand new oven, since it is "like new" with a warranty.

The last point we'd like to mention relates to our growing smallwares department. Over the past few years our company has aggressively sought the best vendors and pricing on the little things that complete your business. We have done our homework and found suppliers that offer quality products at competitive prices. P.E.S.I. is now equipped to be your one stop shop for all your equipment, parts, and the miscellaneous items your store uses and breaks everyday.

With our customers in mind to provide you the BEST support, we have service technicians & customer service representatives here to aid with your questions and needs. We are in the final stages of revamping our website to offer parts and product orders online. In addition to my help, we have a friendly staff willing to accommodate your needs at any time. And finally, did I mention our prices? I look forward to cutting your costs, improving your business and working with you soon.

Sincerely,

Ralph Sroufe
Sales Manager
Pizza Equipment Supply Inc.



704.629.0000—707.371.7112 fax—WWW.PESI.US

Mixers:

HOBART

Berkel

Stephan

- 20 Quart—Hobart A-200 \$1,500.00 Refurbished
(Bowl, Hook, Paddle, Whip)
- 30 Quart—Hobart D-300 \$3,000.00 Refurbished
(Bowl, Hook, Paddle, Whip)
- 40 Quart—Hobart D-340 \$3,500.00 Refurbished
(Bowl, Hook, Paddle, Whip)
- 40 Liter—Stephan, Berkel, Hobart
\$4,500.00 Refurbished
(Knead Mix Shaft, Nut, Tool Kit)
- 44 Liter—Stephan VCM-44 \$5,500 Refurbished
(Knead Mix Shaft)
- 60 Quart—Hobart H600 \$5,000.00 Refurbished
(Bowl and Dough Hook)

Exhaust Packages:

CAPTIVE AIR
THE EXHAUST FINANCE COMPANY

- Class I-Exhaust-Only Package**—Stainless Steel Hood with Filters/Fan
NEW \$3,000—Up to 10'x6'
- Class I-Exhaust & Make-Up Air Package**—Stainless Steel Hood
with Filters/Fans(Make-Up & Exhaust)
NEW \$4,000—Up to 10'x6'

AMERICAN HOOD
MANUFACTURERS

Sheeters/Dough Rollers:

ANETS

- Acme—MR-11 \$1,500 Refurbished
- Acme—MRS-11 \$2,000 Refurbished
- Anets—SDR-21 \$2,500.00 Refurbished—\$3,850.00 NEW
- Somerset—CDR-2000 \$2,500.00 Refurbished—\$3,250.00 NEW

ACME

SOMERSET

Walk-In Coolers:

- 8' x 10' x 7'2" Complete—Floorless—NEW \$5,500.00
- 8' x 12' x 7'2" Complete—Floorless—NEW \$6,000.00
- 8' x 14' x 7'2" Complete—Floorless—NEW \$6,500.00

Sinks:

- Mop Sink—\$230.00—NEW
- Prep Sink—\$300.00—NEW
- Prep Sink with 18" Drainboard—\$350.00 NEW
- Prep Sink with 24" Drainboard—\$375.00 NEW
- 3 Compartment Sink with 2-18" Drainboards—\$550.00—NEW
- 4 Compartment Sink with 2-18" Drainboards—\$650.00—NEW
- Handsink—Stainless Steel with Faucet—\$135.00—NEW

Wire Shelving: Complete 4 shelves/4 poles

Chrome

NEW

14"x36"	\$110.50	18"x36"	\$126.41	21"x36"	\$134.73	24"x36"	\$144.46
14"x48"	\$123.97	18"x48"	\$142.32	21"x48"	\$149.92	24"x48"	\$165.31
14"x60"	\$141.28	18"x60"	\$159.85	21"x60"	\$176.28	24"x60"	\$194.84
14"x72"	\$158.76	18"x72"	\$182.31	21"x72"	\$205.09	24"x72"	\$221.36

Ovens:

Middleby Marshall

Lincoln

BLODGETT

- Lincoln—1301(Electric) \$2,250.00 Refurbished
- Lincoln—1116/1117(Gas)-1132/1133(Electric) \$3,250.00 Refurbished
- Lincoln—1000 Analog(Gas) \$5,500.00 Refurbished
- Lincoln—1000 Digital(Gas) \$6,000.00 Refurbished
- Lincoln—1040 Digital(Gas) \$7,000.00 Refurbished
- Lincoln—1450(Gas)/1452(Electric) \$7,500.00 Refurbished
- Middleby Marshall—JS250(Gas) \$5,000.00 Refurbished
- Middleby Marshall—PS220(Gas) \$5,000.00 Refurbished
- Middleby Marshall—PS224(Gas) \$5,500.00 Refurbished
- Middleby Marshall—PS200(Gas) \$6,500.00 Refurbished
- Middleby Marshall—PS350(Gas) \$6,500.00 Refurbished
- Middleby Marshall—PS360(Gas) \$9,000.00 Refurbished
- Middleby Marshall—PS360WB70(Gas) \$10,000.00 Refurbished
- Middleby Marshall—PS36(EorG) \$4,500.00 Refurbished
- Middleby Marshall—PS570(Gas) \$12,000.00 Refurbished
- Blodgett—MG32-55 \$6,250.00 Refurbished
- Blodgett—MG32-70 \$6,750.00 Refurbished
- Blodgett—MT3255 \$6,750.00 Refurbished
- Blodgett—MT3270 \$7,750.00 Refurbished
- Blodgett—MT3855 \$8,250.00 Refurbished
- Blodgett—MT3870 \$9,250.00 Refurbished

Refrigerated Tables:

- Sandwich/Salad Unit—27" NEW—Starting at \$1,175.00
- Sandwich/Salad Unit—48" NEW—Starting at \$1,885.00
- Pizza Prep Unit—88" NEW—Starting at \$3,500.00
- Pizza Prep Unit—93" NEW—Starting at \$4,250.00
- Pizza Prep Unit—119" NEW—Starting at \$5,500.00

Migali

VICTORY

Turbo Air

Reach-Ins:

- Single Door(Cooler) - Stainless Steel—Starting at \$1,800.00 NEW
- Single Door(Cooler) - Epoxy Coated—Starting at \$1,050.00 NEW
- Single Door(Freezer) - Stainless Steel—Starting at \$2,100.00 NEW
- Single Door(Freezer) - Epoxy Coated—Starting at \$1,100.00 NEW
- Double Door(Cooler) - Stainless Steel—Starting at \$2,400.00 NEW
- Double Door(Freezer) - Stainless Steel—Starting at \$3,000.00 NEW

Stainless Steel Tables: NEW

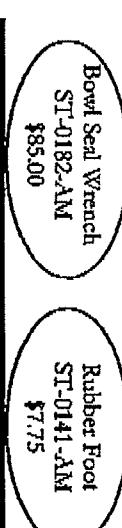
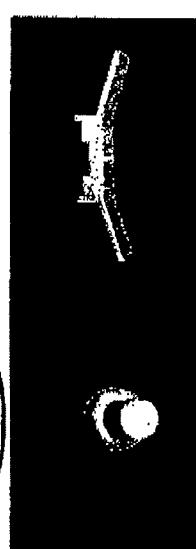
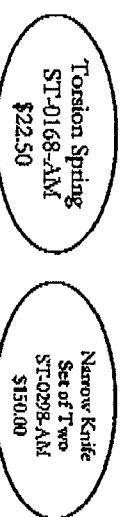
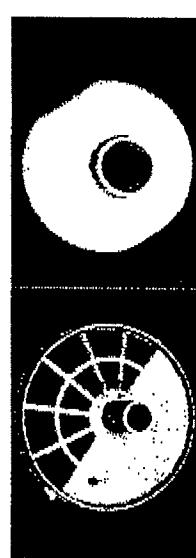
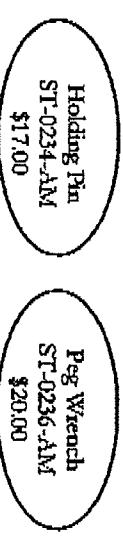
Backsplash

24"x24"	\$165	30"x18"	\$160	24"x30"	\$180	30"x30"	\$185
24"x30"	\$170	30"x30"	\$170	24"x48"	\$195	30"x36"	\$195
24"x36"	\$175	30"x36"	\$175	24"x72"	\$235	30"x48"	\$205
24"x48"	\$185	30"x48"	\$185			30"x60"	\$225
24"x60"	\$195	30"x60"	\$195			30"x72"	\$245
24"x72"	\$205	30"x72"	\$205			30"x96"	\$335

Epoxy

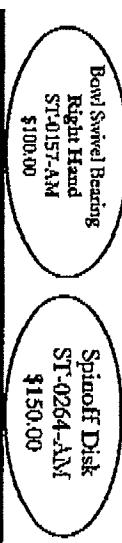
NEW

14"x36"	\$98.54	18"x36"	\$135.74	24"x36"	\$124.26
14"x48"	\$110.24	18"x48"	\$118.09	24"x48"	\$148.18
14"x60"	\$125.84	18"x60"	\$157.26	24"x60"	\$176.34
14"x72"	\$147.94	18"x72"	\$176.50	24"x72"	\$205.50



Item#	Description	Qty	Price	Subtotal
Name:			Order Total	
Address:			Tax	
Phone:			Shipping	
<input type="checkbox"/> Visa	Credit Card #			
<input type="checkbox"/> MasterCard	Exp. date	Security Code		
<input type="checkbox"/> American Express			Total	

(Tax, Shipping, and Total provided by P&SI. We'll call you with total before order ships.)



Price Effective 02/13/07

E-mail: PizzaBreak@hotmail.com
www.pesi.us

Middleby
Marshall

BLODGETT

Lincoln

Stephan
Food Processing Equipment

HOBART

Middleby Marshall		BLODGETT		Lincoln		Stephan		HOBART	
Burner Blower Motor	PS-1000-0000000000000000	OEM/MS	PESI Price			OEM/MS	PESI Price		
27170-0011	\$172.00	\$ 95.00				369366	\$ 410.00	\$ 110.00	
Combination Gas Valve	42040-0024	\$202.00	\$ 100.00			369263	\$ 240.00	\$ 112.00	
Ignition Module	42810-0014	\$163.00	\$ 95.00			369393	\$ 190.00	\$ 100.00	
Convecton Gas Motor	47736	\$159.00	\$ 125.00			369291	\$ 900.00	\$ 265.00	
Main Blower Motor	27131-0023	\$227.00	\$ 110.00			369300	\$ 444.40	\$ 290.00	
The Macouple	25002	\$129.00	\$ 50.00			369151	\$ 52.20	\$ 30.00	
Stephan		HOBART							
Bowl Seal	100-0000000000000000	OEM/MS	PESI Price			OEM/MS	PESI Price		
Stephan	100-0000000000000000	\$174.20	\$ 40.00			369366	\$ 410.00	\$ 110.00	
Signaling Lamp	ST-10215	Stephan	100-0000000000000000	OEM/MS	PESI Price				
Cover/Masker	ST-10205	Stephan	100-0000000000000000	\$70.00	\$ 40.00				
Pusher/Sleeve	ST-10265	Stephan	100-0000000000000000	\$156.00	\$ 100.00				
Knife Set	ST-10260	Stephan	100-0000000000000000	\$450.00	\$ 125.00				
Knife Set	ST-10255	Stephan	100-0000000000000000	\$122.00	\$ 50.00				
30 days service & 1 year parts	ST-10255	Stephan	100-0000000000000000	\$250.00	\$ 150.00				
Hobart - 60 Quart		\$5,000		Hobart - 60 Quart		\$1,090.00		\$ 416.50	
Stephan - VCM40		\$4,500		Stephan - VCM40		\$ 745.00		\$ 265.16	
Lincoln - 1000 doublestack		\$12,000		Lincoln - 1000 doublestack		\$ 261.00		\$ 140.40	
Middleby Marshall - PS350 dblsk		\$13,000		Middleby Marshall - PS350 dblsk		\$ 140.00		\$ 60.75	
Middleby Marshall - PS360 dblsk		\$18,000		Middleby Marshall - PS360 dblsk		\$ 671.00		\$ 416.00	
Call for a complete equipment list				Bowl/Bowl		\$ 220.00		\$ 216.00	



Hobart - 60 Quart \$5,000
 Stephan - VCM40 \$4,500
 Lincoln - 1000 doublestack \$12,000
 Middleby Marshall - PS350 dblsk \$13,000
 Middleby Marshall - PS360 dblsk \$18,000
 Call for a complete equipment list

**Pizza
Equipment
Supply Inc.**

We Ship World-Wide and Same Day in most situations.

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**Middleby®
Marshall**

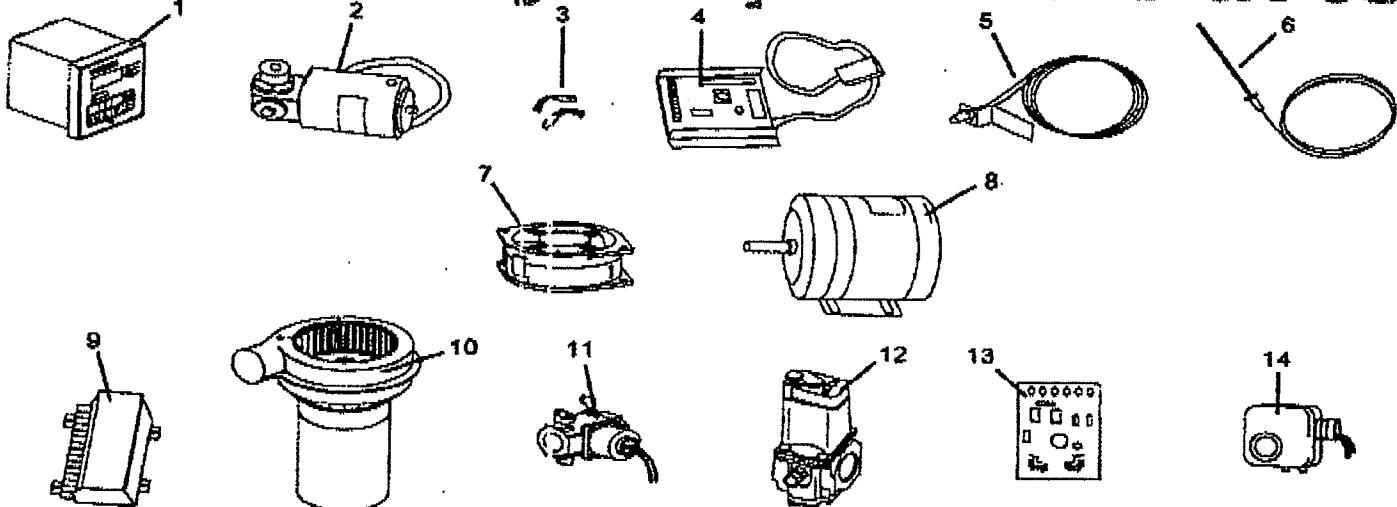
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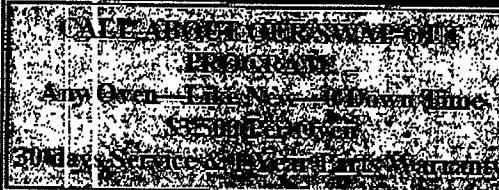
Oven Parts Below OEM & Others

Commonly Replaced Parts



Item	Part #	Description	OEM List	PESI Price	Comments
1	58504	Kit Honeywell Temp Cntrl 550 Deg	\$765.29	\$560.00	OEM-Honeywell
1	30-A-01-5038	On-Off Temperature Controller with CD & High Temp Prot.		\$250.00	AM-Duplicate of Honeywell
1	30-A-01-5039	Modulating Temp Controller with CD & High Temp Prot.		\$250.00	AM-Duplicate of Honeywell
2	47796	Mtr, Gear 1/22 HP 1400:1 BOD	\$591.10	\$475.00	OEM-Bodine
2	30-A-01-5022	Mtr, Gear 1/22 HP 1400:1 Baldor		\$265.00	AM-Baldor
3	22450-0052	Brush, Set of 2 Carbon E30	\$50.11	\$15.00	OEM
4	58323	Cntrl, Conv. Digital	\$410.10	\$350.00	OEM
5	46451	Kit, Conveyor Control Pick-Up	\$142.13	\$80.00	OEM
6	33984	Kit, Thermocouple PS300/570	\$129.60	\$50.00	OEM
7	27392-002	Fan, Axial 115V 110 CFM 50/60 Hz	\$44.85	\$15.00	OEM
8	27381-0023	Motor, 1/3HP 110/220V 50/60 1 PH	\$274.32	\$200.00	OEM-PS360S
8	27381-0054	Motor, 1/4HP 208-230V 60Hz 1 PH	\$345.60	\$200.00	OEM-PS360Q
10	22523-0002	Wheel, Blower Single Inlet CW	\$229.14	\$59.00	OEM
10	22523-0003	Wheel, Blower Single Inlet CCW	\$229.14	\$59.00	OEM
9	42810-0114	Kit, Ignition Module W/Adaptor	\$183.60	\$95.00	OEM
10	27170-0011	Assy, Motor & Fan Burner	\$172.80	\$95.00	OEM
11	28091-0017	VALVE, SOL 1/2 NPT 1/2 PSI	\$83.29	\$50.00	OEM
12	41647	Valve, module M420	\$263.25	\$150.00	OEM
13	31651	Amplifier, Signal 4-20 VDC	\$168.03	\$100.00	OEM
14	32102	Air Switch	\$160.54	\$135.00	OEM

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